

State of Utah)
 : ss.
County of Weber)

Elmer J. Widic, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge.

D30

2. I have observed the road that Daggett County has designated as Road D30 since 1965, and the road descriptions herein pertain to that road. It is located in the northeastern corner of Utah, in the Clay Basin.

3. I am familiar with the indicated road, because I lived and worked near its north end at the Clay Basin Camp for seventeen years, from 1965 until 1982, and traveled it on a regular basis. I have also had occasion to observe the road on return visits to the Clay Basin since 1982.

4. The road begins on the south end at its intersection with Brown's Park Road, adjacent to the Lauzer well (now known as Clay Basin Unit Well No. 4-S). It proceeds north on a winding path for approximately one mile to its intersection with Road D28, about one-third of a mile southeast of Clay Basin Camp.

5. I began working as Field Foreman of the Clay Basin Field in 1965 for Mountain Fuel Supply Company, which operated a number of gas wells in the Clay Basin Field. I remained so employed until 1982. During that time period I was personally familiar with the construction and maintenance activities on a number of Daggett County roads used for well service access in the Clay Basin Field, including Road

D30.

6. From the time I first traveled the road in 1965, I observed evidence of construction, including grading, berms, ditches, culverts and disturbed areas at the sides of the road.

7. As Field Foreman for Mountain Fuel Supply Company, I was personally familiar with construction and maintenance activities on the road. Such activities included grading and with a road grader on an annual basis, addition of gravel, dragging of the traveled surface with pipes and tires pulled behind well service vehicles on a monthly basis, and periodic installation, repair and cleaning work on culverts as needed. I specifically recall that culverts were often constructed of 20 inch pipe.

8. The road has been open to the public for all to use, to come and go as they please, from 1965 until 1982 and thereafter. I have never known the road to be closed.

9. Since before 1965 and continuing to the present, the road has been used for gas exploration and development, including frequent travel by large tanker trucks and trucks hauling drilling equipment. The northern portion of the road provides access to Clay Basin Well No. 1, which was originally drilled in the late 1920s, and it is my understanding from my years with Mountain Fuel Supply Company that the northern portion of the road was originally constructed at that time. It has also been used for access to the pipeline to the Lauzer well, grazing allotments, for hunting, I personally have observed the aforementioned uses and am personally acquainted with A. Wright Dickinson, whose livestock have grazed on the land surrounding the road for many years.

10. By my personal observation, travelers on the road from 1965 and thereafter have included those who traveled by horseback, cars, recreational vehicles and trucks of all sizes.

11. When I first traveled the road in July of 1965 it ran the same route as it did in 1982. I have no reason to believe that it does not run the same route today. The road was well established in July of 1965. The entire road is approximately one mile long and the width of the traveled portion is approximately seventeen feet for most of its length, but ranges from fifteen to twenty feet. Along the road there are typically berms, ditches and disturbed areas to facilitate maintenance and drainage, and occasional culverts for drainage. The surface of the road was primarily native dirt when I observed it from 1965 to 1982.

Dated this _____ day of September, 2004.

Elmer J. Widic

SUBSCRIBED AND SWORN TO before me this _____ day of September, 2004.

Notary Public

Residing at: _____